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# U.S. News, Time rejected Newsweek 'execution' photos

By George Archibald  
THE WASHINGTON TIMES

An American college student who photographed what he was told was the execution of a Sandinista spy by members of the Nicaraguan resistance defended yesterday the execution as a legitimate act of war.

Frank Wohl, a 21-year-old Northwestern University senior whose pictures were published this week by Newsweek magazine, said he tried to prevent the photos from being used by defenders of the Sandinistas as evidence of atrocities by the anti-Sandinista resistance.

Before he sold the photographs to Newsweek, he said, he had tried to sell them first to U.S. News & World Report and then to Time magazine. U.S. News turned him down because the magazine said it could not authenticate them with a second source.

Mr. Wohl said he insisted that he have the right to approve the magazine text to accompany the pictures, in order to ensure they were "not misrepresented" as an unwarranted killing before Congress voted on the president's aid package. Newsweek agreed to those terms, he said.

A Newsweek official said no such agreement was made.

"As a matter of course, we do not give photographers copy approval," said Gary Gerard, the magazine's communications director. "That is an extraordinary statement in and of itself."

The pictures of the unidentified victim, who was made to dig his own grave before being knifed to death, were cited this week by two Democratic senators, Tom Harkin of Iowa, and John Kerry of Massachusetts, who went to Nicaragua last week to talk to Sandinista leaders and

returned to argue against President Reagan's \$14 million aid package to the anti-Sandinista forces.

The authenticity of the pictures, taken by Mr. Wohl, a freelance photographer, was challenged by administration officials and by a Washington spokesman for Free Democratic Nicaragua (FDN) — the largest of the resistance groups. They said the uniforms worn by the reputed FDN executioners are no longer used by the resistance.

However, two reporters for The Washington Times, who returned from scene of the fighting in Nicaragua two weeks ago, said the uniforms and boots in the photographs were typical of the attire of FDN men they had seen.

Newsweek made independent efforts to verify Mr. Wohl's pictures, the spokesman for Newsweek said.

"Newsweek reporters spoke with various sources in Central America, Miami and Illinois in a careful and thorough effort prior to publication of the photos depicting the execution," Mr. Gerard said. "The Contras, typical of most Third World insurgencies, often dress in civilian clothes and different uniforms according to their availability."

The resistance fighters "had no choice" but to kill the reputed spy, Mr. Wohl said in an interview with The Times.

"He had to be executed. He was a Sandinista informant who had already caused many Nicaraguans who were helping the Contras to be killed by the communists," he said.

Mr. Wohl said he made two trips to Nicaragua during school breaks last year and spent a total of almost six months with FDN forces. He said he was known at Northwestern as an anti-communist activist, and was denounced as a "fascist" and physically assaulted by history professor Bonnie Blustein, faculty sponsor of a Marxist-Leninist campus organization, when he returned last October from his first four-month tour with FDN forces.

Mr. Wohl said he traveled with the FDN as a noncombatant photo-

journalist, wearing the same light blue-green uniform worn by resistance soldiers. He went by the name "Rata Asesina" — "Killer Rat" — to hide the fact that he was "a gringo," he said.

The execution took place in the barrio of Balsama, near San Juan in the province of Madriz, he said. Commandante Sergio, the leader of the FDN brigade, "did not go with us" when the killing occurred, he reported.

Mr. Wohl said he did not know the names of either the victim, who "had no identification," or his two reputed FDN executioners. "I trust what the FDN commanders told me" about the victim's Sandinista ties, he explained. "They had never lied to me."

Mr. Wohl said he first offered the photographs "for free" to the Central Intelligence Agency's field office in Chicago, but the CIA officer said he was not interested in them.

"I knew I had to sell them within the next month or they would have no value for me," Mr. Wohl explained. "I knew they would enhance my career."

He said he then tried to sell the pictures to U.S. News & World Report. The magazine paid his travel expenses from Evanston, Ill., to Washington to meet with its editors April 15, said spokeswoman Kathy Bushkin.

"They discussed with him the pictures at length but finally concluded that, since there was not any independent verification from another eyewitness on pictures of such a nature, we would not run them," she said.

Mr. Wohl then flew to New York and, with the help of his photographic agency, Sygma, offered the photos to Time and Newsweek. Time magazine's reasons for not buying the photographs could not be determined yesterday.

Bill Outlaw contributed to this report.